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PATENT
Atty Docket: P70986US0

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Ralf WOLLESCHENSKY et al.

Confirmation No.: 8778

Serial No.: 10/560,426

Group Art Unit: 2877

Filed: December 14, 2005

Examiner: Unassigned

For: METHOD TO BE USED IN FLUORESCENCE MICROSCOPY

**INFORMATION DISCLOSURE STATEMENT
UNDER 37 CFR 1.97**

MAIL STOP AMENDMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

As a continuing means of complying with the duty of disclosure under 37 CFR §1.56, and in accordance with 37 CFR §§1.97 and 1.98, Applicant through his undersigned attorney, submits this Information Disclosure Statement for the Examiner's consideration. The patents, publications or other information submitted herewith are listed on the attached Form PTO-1449. In accordance with 37 CFR §1.98(a)(2) only a copy of each foreign patent document and non-patent literature document listed on the attached Form PTO-1449 is submitted herewith.

In accordance with 37 CFR §1.97(b) this Information Disclosure Statement is being submitted before the mailing of the first Office Action on the merits and therefore, no fee is due.

The patents and publications AD, AE and AI listed on Form PTO-1449 were cited in an International Search Report in counterpart International Patent Application No. PCT/EP2004/006202. A copy of the Search Report is enclosed.

Documents AA, AE, AJ and AK listed on Form PTO-1449 are cited in the instant application at pages 3, 12, 13 and 15, respectively.

Of the non-English documents listed on Form PTO-1449 document AB, U.S. Patent No. 7,009,699, corresponds to document AD, EP 1308715 A1; document AC, U.S. Patent No.

Serial Nø.: 10/560,426
Atty Dkt. : P70986US0

6,602,716, corresponds to document AH, DE 19829657 A1; and document AF, GB 2333153 A1 corresponds to document AG, DE 19900135 A1.

It is respectfully requested that the Examiner initial and return a copy of the enclosed Form PTO-1449, and to similarly indicate in the official file wrapper of this patent application that the attached documents have been considered.

Respectfully submitted,

JACOBSON HOLMAN PLLC

Date: 1/29/07

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Form PTO-1449

INFORMATION DISCLOSURE STATEMENT

| | |
|------------------|----------------------|
| Attorney Docket: | P70986US0 |
| Application No.: | 10/560,426 |
| Filing Date: | December 14, 2005 |
| Inventor: | WOLLESCHENSKY et al. |
| Art Unit: | 2877 |
| Examiner: | Unassigned |

U.S. PATENT DOCUMENTS

| Examiner Initials* | Cite No. | Document Number | Publication Date | Name of Patentee or Applicant | Relevant Pages, Cols, Lines, Figs. |
|--------------------|----------|-----------------|------------------|-------------------------------|------------------------------------|
| | AA | US- 6,167,173 | 12/26/2000 | SCHOEPPE et al. | |
| | AB | US- 7,009,699 | 03/07/2006 | WOLLESCHENSKY et al. | |
| | AC | US- 6,602,716 | 08/05/2003 | KLIMANT | |
| | US- | | | | |

FOREIGN PATENT DOCUMENTS

| Examiner Initials* | Cite No. | Country Code + Number | Publication Date | Name of Patentee or Applicant | Relevant Pages, Cols, Lines, Figs. | Translation |
|--------------------|----------|-----------------------|------------------|-------------------------------|------------------------------------|---------------|
| | AD | EP 1308715 A1 | 05/07/2003 | WOLLESCHENSKY, et al. | | See AB |
| | AE | DE 19915137 A1 | 10/19/2000 | SCHAEFER | | Abstract Only |
| | AF | GB 2333153 A | 07/04/1999 | SIMON | | N/A |
| | AG | DE 19900135 A1 | 08/05/1999 | SIMON | | See AF |
| | AH | DE 19829657 A1 | 02/04/1999 | KLIMANT | | See AC |

NON-PATENT LITERATURE DOCUMENTS

| | | |
|--------------------|----------|---|
| Examiner Initials* | Cite No. | Include name of author in CAPS; title of article; title of book, magazine, journal etc.; date; page(s); volume/issue number(s); publisher; city and/country where published. |
| | AI | LANSFORD, et al., "Resolution of Multiple Green Fluorescent Protein Color Variants and Dyes Using Two-Photon Microscopy and Imaging Spectroscopy", Journal of Biomedical Optics, SPIE, Vol. 6, No. 3, pp. 311-318, July 2001. |
| | AJ | ANDO, et al., "An Optical Marker Based on the UV-induced Green-to-Red Photoconversion of a Fluorescent Protein", PNAS, Vol. 99, No. 20, pp. 12651-12656, October 1, 2002. |
| | AK | PATTERSON, et al., "A Photoactivatable GFP for Selective Photolabeling of Proteins and Cells", Science, Vol. 297, No. 5588, pp. 1873-1877, September 13, 2002 (Abstract Only). |

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|--------------------|-----------------|
| Examiner Signature | Date Considered |
|--------------------|-----------------|

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP § 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to Applicant.